THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.12451 of 2005

Dated:04.08.2006

Between:
Tadaju Satyanarayana.

..... PETITIONER

AND

The District Collector, Nalgonda, and others.

....RESPONDENTS

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.12451 of 2005

ORDER:

This Writ Petition is filed seeking a certiorari to call for the records in proceedings No.D/187/05, dated 28.05.2005, on the file of the Revenue Divisional Officer, Suryapet, Nalgonda District, and quash the same as illegal and arbitrary.

It seems, pursuant to the notification issued by the Revenue Divisional Officer, Suryapet, dated 05.02.2005, inviting applications for filling of the post of Fair Price Shop Dealer, Aravappalli, the petitioner applied for the same, got selected and was appointed vide proceedings dated 24.05.2005. It is unfortunate that immediately on 28.05.2005, the said appointment order was cancelled stating that later it has come to the notice of the administration that the petitioner herein has no financial capacity to run the Fair Price Shop. Challenging the same, the present Writ Petition is filed.

A detailed counter affidavit is filed stating that after appointment,

the authorities came to know that the petitioner is not financially sound to run the Fair Price Shop.

There is no necessity to go into all the details. The very impugned proceedings does not indicate that any enquiry has been conducted in this regard or the petitioner was issued with any show cause notice asking his explanation regarding his financial ability to run the Fair Price Shop of the Village. Though an alternative remedy is available to the petitioner, I am of the opinion that since the impugned order suffers from gross violation of principles of natural justice, the same is liable to be set aside.

The Writ Petition is accordingly allowed setting aside the impugned order. No costs.

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(C.V.RAMULU, J)

Dated:04.08.2006.
vs